THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21777 OF 2005

DATED:6.10.2005

Between:

The Agrl. Market Committee,

Mancherial, Adilabad District,

Rep. by its Secretary

…Petitioner

And

Government of Andhra Pradesh rep. by its

Mandal Revenue Officer,

Mancherial, Adilabad District and others

…Respondents

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ORDER:

The agricultural market committee, Mancherial, Adilabad District, assails the proceedings of the Mandal Revenue Officer, Mancherial, dt.24.2.2005 whereby and whereunder the Mandal Revenue Officer ordered to implement the documents filed by the petitioner to an extent of Ac.7.17 guntas in S.No.58 of Garmilla Village and an extent of Acs.2.08 gts. in favour of third respondent, who allegedly purchased the land from pattadars. Aggrieved by the same, the petitioner appears to have filed an appeal under Section 5(5) of the A.P.Rights in Land and Pattadar Pass Books Act, 1971. Curiously, again, proceedings of the Mandal Revenue Officer are challenged

in the Writ Petition.

It is now settled principle that a person cannot avail two remedies simultaneously – one statutory remedy as provided by the relevant enactment, and another constitutional remedy. For this reason alone, the Writ Petition is liable to be dismissed. However, the Revenue Divisional Officer may consider the appeal of the petitioner and pass appropriate orders as expeditiously as possible.

The Writ Petition with the above observations is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

6.10.2005

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